

## **MINUTES**

### **MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON FISH AND GAME**

**Call to Order:** Chairman Gregory D. Barkus, on March 17, 2009 at  
3:00 P.M., in Room 422 Capitol

#### **ROLL CALL**

##### **Members Present:**

Sen. Gregory D. Barkus, Chairman (R)  
Sen. John Brenden, Vice Chairman (R)  
Sen. Joe Balyeat (R)  
Sen. Debby Barrett (R)  
Sen. Steven Gallus (D)  
Sen. Larry Jent (D)  
Sen. Joseph (Joe) Tropila (D)

##### **Members Excused:**

Sen. Trudi Schmidt (D)  
Sen. Jim Shockley (R)

**Members Absent:** None

**Staff Present:** Lindsey Hern, Committee Secretary  
Hope Stockwell, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: HB 382, 2/25/2009; HJ 15, 3/11/2009

Executive Action: HB 221; HB 222; HB 317; HB 337

**HEARING ON HJ 15**

**Opening Statement by Sponsor:**

00:00:56 Rep. Mike Milburn (R), HD 19, opened the hearing on HJ 15, Study resolution on funding for a recreation and tourism enhancement program.

**Proponents' Testimony:**

None

**Opponents' Testimony:**

None

**Informational Testimony:**

00:03:36 Chas Van Genderen, Fish, Wildlife and Parks (FWP)

**Questions from Committee Members and Responses:**

00:04:04 Sen. Tropila  
00:04:12 Rep. Milburn  
00:04:50 Sen. Barrett  
00:04:59 Chairman Barkus  
00:05:15 Rep. Milburn  
00:05:26 Chairman Barkus  
00:05:29 Rep. Milburn

**Closing by Sponsor:**

00:06:26 Rep. Milburn

**HEARING ON HB 382**

**Opening Statement by Sponsor:**

00:07:02 Rep. Robin Hamilton (D), HD 92, opened the hearing on HB 382, Hunter mentoring for certain hunters.

00:10:25 Sen. Schmidt came to the committee.

**Proponents' Testimony:**

00:11:13 Mac Minard, Self

[EXHIBIT\(fis59a01\)](#)

[EXHIBIT\(fis59a02\)](#)

00:22:06 Isaac Scott Welch, Hunters Education Instructor,  
Missoula  
00:24:43 George Cobb, Montana Regional Representative, Safari  
Club International (SCI)  
00:25:11 Brian Judy, Montana Liaison, National Rifle Association  
(NRA)  
00:26:40 Ray Wrobel Jr., Self; Hunters Education Instructor  
00:28:20 Aine Lawlor, Self  
00:30:05 Sean Lawlor, Self  
00:30:42 Robert Sanders, Manager, Ducks Unlimited  
00:31:24 Chris Fortune, Director, Northwestern Turkey  
Foundation (NWTF)  
00:35:18 Ron Moody, Lewistown, Self  
**EXHIBIT(fis59a03)**

00:36:40 Sen. Jent left the committee.  
00:39:49 John McDunn, 4H Instructor  
00:42:22 Roland Horst, Self, NRA  
00:43:32 Dennis Mills, Kila, Self; NRA

**Opponents' Testimony:**

00:45:37 Bill Tiddy, Helena, Self  
00:49:55 Chuck Houk, Self; Hunters Education Instructor  
00:52:24 Sen. Jent came to the committee.

**Informational Testimony:**

00:52:55 Ron Aasheim, Communication Division, FWP

**Questions from Committee Members and Responses:**

00:54:20 Sen. Balyeat  
00:54:52 Mr. Tiddy, Self  
00:55:16 Sen. Balyeat  
00:55:21 Mr. Tiddy, Self  
00:56:01 Sen. Balyeat  
00:56:08 Mr. Tiddy, Self  
00:56:18 Sen. Balyeat  
00:56:41 Mr. Tiddy, Self  
00:57:00 Sen. Balyeat  
00:57:25 Mr. Tiddy, Self  
00:57:39 Sen. Balyeat  
00:59:00 Mr. Houk, Self; Hunters Education Instructor  
01:00:14 Sen. Brenden  
01:01:46 Mr. Cobb, SCI  
01:02:21 Sen. Brenden  
01:03:17 Mr. Cobb, SCI  
01:03:27 Sen. Brenden

01:03:59 Mr. Judy, NRA  
 01:04:23 Sen. Brenden  
 01:04:33 Mr. Judy, NRA  
 01:05:06 Sen. Brenden  
 01:05:53 Mr. Judy, NRA  
 01:06:26 Sen. Barrett  
 01:06:55 Rep. Hamilton  
 01:06:57 Sen. Barrett  
 01:07:33 Rep. Hamilton  
 01:08:31 Sen. Barrett  
 01:08:37 Chairman Barkus  
 01:09:27 Mr. Welch, Hunters Education Instructor  
 01:11:06 Chairman Barkus  
 01:11:17 Mr. Welch, Hunters Education Instructor  
 01:11:34 Chairman Barkus  
 01:12:04 Mr. Welch, Hunters Education Instructor  
 01:12:41 Chairman Barkus  
 01:13:04 Mr. Welch, Hunters Education Instructor  
 01:13:52 Chairman Barkus  
 01:15:04 Mr. Lawlor, Self  
 01:16:46 Chairman Barkus  
 01:17:39 Mr. Lawlor, Self  
 01:18:48 Chairman Barkus  
 01:18:53 Sen. Barrett

**Closing by Sponsor:**

01:19:20 Rep. Hamilton

01:20:40 Recess

Sen. Balyeat left the committee before executive action.

**EXECUTIVE ACTION ON HB 221**

01:32:02 **Motion:** Sen. Gallus moved that **HB 221 BE CONCURRED IN.**

01:32:14 **Motion:** Sen. Barkus moved that **HB 221 BE AMENDED.**  
**EXHIBIT(fis59a04)**

**Discussion:**

01:33:31 Sen. Gallus  
 01:33:51 Hope Stockwell, Legislative Service Division (LSD)  
 01:34:09 Sen. Brenden  
 01:34:35 Chairman Barkus  
 01:35:00 Sen. Brenden  
 01:35:15 Sen. Barrett  
 01:35:32 Chairman Barkus

01:35:45 Ms. Stockwell, LSD  
 01:35:59 Sen. Barrett  
 01:36:05 Chairman Barkus  
 01:36:11 Sen. Barrett  
 01:36:22 Chairman Barkus  
 01:36:43 Sen. Brenden

01:36:53 **Vote:** Motion that **HB 221 BE AMENDED** carried 7-1 by voice vote with Sen. Barrett voting no. Sen. Balyeat voted by proxy.

01:37:25 **Motion/Vote:** Sen. Gallus moved that **HB 221 BE CONCURRED IN AS AMENDED**. Motion carried 6-2 by voice vote with Sen. Barrett and Sen. Jent voting no. Sen. Balyeat voted by proxy. Sen. Barkus will carry the bill in the Senate

**EXECUTIVE ACTION ON HB 222**

01:38:16 **Motion:** Sen. Gallus moved that **HB 222 BE CONCURRED IN**.

01:38:23 Chairman Barkus

01:38:56 **Motion:** Sen. Barkus moved that **HB 222 BE AMENDED**.  
[EXHIBIT\(fis59a05\)](#)

**Discussion:**

01:39:15 Ms. Stockwell, LSD  
 01:41:00 Sen. Jent  
 01:41:27 Chairman Barkus  
 01:41:54 Ron Aasheim, FWP  
 01:42:04 Chairman Barkus  
 01:42:18 Mr. Aasheim, FWP  
 01:42:26 Sen. Brenden  
 01:42:32 Jim Maurier, Director, FWP  
 01:43:08 Chairman Barkus  
 01:43:44 Sen. Jent  
 01:43:48 Sen. Schmidt suggested a conceptual amendment with a word change to "may" (not adopted).  
 01:44:00 Sen. Gallus  
 01:44:04 Ms. Stockwell, LSD  
 01:44:28 Chairman Barkus  
 01:44:34 Ms. Stockwell, LSD  
 01:45:01 Chairman Barkus  
 01:45:13 Ms. Stockwell, LSD  
 01:45:19 Sen. Brenden

01:45:47 **Vote:** Motion that **HB 222 BE AMENDED** carried unanimously by voice vote. Sen. Balyeat voted by proxy.

01:46:05 **Motion:** Sen. Gallus moved that **HB 222 BE CONCURRED IN AS AMENDED.**

**Discussion:**

01:46:16 Sen. Barrett

01:47:19 Sen. Gallus

01:48:29 Sen. Tropila

01:48:37 **Vote:** Motion that **HB 222 BE CONCURRED IN AS AMENDED** carried 6-2 by voice vote with Sen. Barrett and Sen. Brenden voting no. Sen. Balyeat voted by proxy. Sen. Jent will carry the bill in the Senate.

**EXECUTIVE ACTION ON HB 317**

01:49:33 **Motion:** Sen. Gallus moved that **HB 317 BE CONCURRED IN.**

01:49:43 **Motion:** Sen. Barkus moved that **HB 317 BE AMENDED.**  
**EXHIBIT(fis59a06)**

**Discussion:**

01:50:00 Ms. Stockwell, LSD

01:52:27 **Vote:** Motion that **HB 317 BE AMENDED** carried unanimously. Sen. Balyeat voted by proxy.

01:52:45 **Motion/Vote:** Sen. Tropila moved that **HB 317 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote. Sen. Balyeat voted by proxy. Sen. Tropila will carry the bill in the Senate.

01:53:16 Sen. Tropila

**EXECUTIVE ACTION ON HB 337**

01:54:00 **Motion:** Sen. Gallus moved that **HB 337 BE CONCURRED IN.**

01:54:18 **Motion:** Sen. Gallus moved that **HB 337 BE AMENDED.**  
**EXHIBIT(fis59a07)**

**Discussion:**

01:54:54 Chairman Barkus

01:54:58 Sen. Gallus

01:55:06 Ms. Stockwell, LSD

01:55:07 Sen. Gallus

01:55:09 Ms. Stockwell, LSD

01:55:37 **Vote:** Motion that **HB 337 BE AMENDED** carried 6-2 by voice vote with Sen. Balyeat and Sen. Brenden voting no. Sen. Balyeat voted by proxy.

01:56:04 **Motion:** Sen. Gallus moved that **HB 337 BE CONCURRED IN AS AMENDED.**

**Discussion:**

01:56:13 Sen. Brenden

01:56:32 Chairman Barkus

01:57:11 Sen. Barrett

01:57:37 Chairman Barkus

01:57:40 **Substitute Motion/Vote:** Sen. Jent made a substitute motion that **HB 337 BE TABLED.** Substitute motion carried 7-2 by roll call vote with Sen. Gallus and Sen. Schmidt voting no. Sen. Balyeat and Sen. Shockley voted by proxy.

01:58:40 Sen. Barrett

**ADJOURNMENT**

Adjournment: 5:00 P.M.

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Lindsey Hern, Secretary

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Additional Documents:

**EXHIBIT ([fis59aad.pdf](#))**